SINGLE BENCH

cf 15001- (3) (6)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION (S) No. 60 /2007 (S.B.)

23 NOV 2006

TREASURY OFFICE
BILASPUR (C.G.)

PETITIONERS :

1. Lakshman Ram Bhagat, S/o Shri Kauleshwar Ram Bhagat, Aged about 38 years, Assistant Teacher, Deptt. of Tribal Welfare, Presently posted at Middle School Rampur-Thakurpara, Block - Baikunthpur, Distt. Korea (C.G.)
2. Raj Narayan Singh S/o Late Buddhuram Singh, Aged about 43 years, Assistant Teacher, Deptt. of Tribal Welfare, Presently Posted at Primary School, Rushni, Block- Bharatpur Distt. Korea (C.G.)
3. Subardan Minz S/o Nirmal Minz Aged about 38 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently posted at Primary School Pakritoli, Block- Kusmi, Distt. Surguja (C.G.)
4. Jassinta Tirki S/o Sukhana Tirki, Aged about 41 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently posted at Girls Primary School Serangdag, Block Kusmi, Distt. Surguja (C.G.)
5. Smt. Prabha Bek W/o Shri Rajendra Bek Aged about 41 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently posted at Middle School Ramnagar Block Kusmi, Distt. Surguja (C.G.)
6. Rajkishore Toppo S/o Shri Late Nikolus Toppo, Aged about 41 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently posted at Primary School Madwa, Distt. Surguja (C.G.)

P.R. No. 78241.6
Presented by Shri Mahendra Dubey
dated 26/12/06

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OATH COMMISSIONER
APARNA MALVIYA
CG-20726
23/12/06
Bilaspur Chhattisgarh

(9) (14)

7. Pusnath Ram S/o Shri Sudhan Ram Aged about 34 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently Posted at Middle School Serangdag, Block Kusmi, Distt. Surguja (C.G.)

8. Basanti Bada, D/o Shri Jeetram Bada, Aged about 36 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently Posted at Girls Middle School Jawahar Nagar Block Kusmi, Distt. Surguja (C.G.)

9. Jyoti Nirmal Kachchhap D/o Prabhudas Kachchhap, Aged about 37 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently Posted at Primary School Nawdiha, Block Kusmi, Distt. Surguja (C.G.)

10. Urmila D/o Shri Karma1 Ram, Aged about 36 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently Posted at Girls Primary School Mulsikala , Block Kusmi, Distt. Surguja (C.G.)

11. Jagarnath Ram S/o Shri Feku Ram, Aged about 34 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently posted at Primary School Krishnanagar, Block Shankargarh, Distt. Surguja (C.G.)

OATH COMMISSIONER APARNA MALVIYA CG-2073/06 Bilaspur Chhattisgarh

12. Harishankar Singh S/o Shri Gandur Ram Aged about 35 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently posted at Primary School Jamirapath , Block Kusmi, Distt. Surguja (C.G.)

13. Ramamohan Ram S/o Dukhan Ram, Aged-about-36years,Dept. of Tribal Welfare, Presently Posted at Primary School Chharhatkala,Block-Kusmi,Distt.Surguja (C.G.)

(10) (5)

14. Sithal Ram S/o Shri Chapta Ram Aged about 40 years, Assistant Teacher, Deptt. of Tribal Welfare,Presently Posted at Primary School Bardihkhurd, Block Kusmi, Distt. Surguja (C.G.)

15. Rajendra Prasad Rahi S/o Shri Sihari Ram Aged about 36 years, Lab. Assistant Deptt. of Tribal Welfare, Presently Posted Govt. High School Ketka, Block- Surajpur, Distt. Surguja (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through, Secretary Department of Tribal Welfare, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
2. Commissioner, Department of Tribal Welfare, Raipur (C.G.)
3. Asst. Commissioner, Department of Tribal Welfare, Ambikapur, Distt. Surguja (C.G.)
4. Asst. Commissioner, Department of Tribal Welfare, Baikunthpur, Distt. Korea (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

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HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (S) No. 60 of 2007

Petitioners : Lakshman Ram Bhagat & others
Versus
Respondents : State of Chhattisgarh & others

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Shri Saurabh Dangi, Advocate for the petitioner.

Shri Arvind Dubey, Panel lawyer for the respondents/State.

ORDER

(Passed on 15th day of January, 2007)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. Learned counsel appearing for the petitioners as well as learned Panel Lawyer appearing for the respondents/State jointly submit that the facts of the present case are similar to that of in W. P. (s) 5976 of 2006 (Sushil Tiwari & others Vs. State Govt. of Chhattisgarh & others), which was allowed vide order dated 7th November, 2006. They further submit that the question of law involved is also the same.
2. The petitioners were initially appointed vide order dated 20.4.1992 (Annexure P/1) as Assistant Teachers on a fixed pay of Rs. 600/-. Subsequently, vide order dated 4.8.2005 (Annexure P/2) all the appointments made between 1982-83 to 1994-95 on a fixed pay on the post of Deputy Teacher/Assistant Teacher/Teacher were converted to the regular appointment on completion of two years probation period. Accordingly the petitioners were deemed to have been appointed on probation for a period of two years.
3. In view of the above stated submissions made by learned counsel for the parties, the writ petition is allowed in terms of the order dated 7th November, 2006 passed by this Court in W. P. (s) 5976 of 2006. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur